

SUPPLEMENTAL RESPONSE UNDER 37 C.F.R. § 1.111
U. S. Application No. 09/973,046

REMARKS

Claims 1-11 are all the claims pending in the application.

Claims 1-3 are rejected under 35 U.S.C. § 102(b) as being anticipated by Sprague et al. (US 5,247,575; hereafter “Sprague”). Claims 5-9 are rejected under 35 U.S.C. § 102(e) as being anticipated by Takase et al. (US 6,381,513; hereafter “Takase”). Claims 10 and 11 are rejected under 35 U.S.C. § 102(e) as being anticipated by Inselberg (US 6,760,595). Claim 4 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Sprague in view of Ishizaki et al. (US 5,884,140; hereafter “Ishizaki”).

As described in the Response filed November 24, 2004, Inselberg is a continuation-in-part (CIP) of application No. 09/854,267, filed on May 11, 2001, which is a continuation of application No. 09/656,096, filed September 6, 2000, which issued as US 6,434,398 (“the ‘398 patent”). After a review of the ‘398 patent, it appears that the disclosure of Inselberg upon which the Examiner relies to reject claims 10 and 11 was not present in the Inselberg family of applications until the CIP (Inselberg) was filed on May 11, 2001. Since this date (May 11, 2001) is after the filing date (January 19, 2001) of the priority document of the present application, Applicant should be able to remove as a prior art reference those portions of Inselberg which were added via the CIP. This is the case, because only the portions of Inselberg which were present prior to the filing of the CIP are entitled to the original filing date of the ‘398 patent. To do this, Applicant submits herewith a certified English translation of the priority document to perfect the foreign priority of the present application. Thus, by perfecting the priority of the present application, the rejection of claims 10 and 11 is rendered moot.

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In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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